

Goldstein et al.
Application No.: 10/634,936
Page 6

PATENT

Remarks

Amendments:

The amendments to the Specification above merely correct the valence on nitrogen atoms in several formulae, as suggested by the Examiner. No new matter is added thereby.

The amendment of claim 1 conforms the claim to the elected Group (Group I, in which Z is CH), and corrects the X¹ superscript in the formula (shown as a subscript in the prior response). No new matter is added thereby.

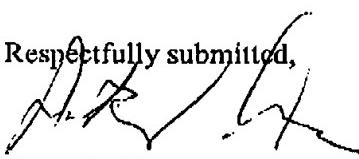
Rejections under §102:

Claims 1-10 and 13 were rejected as anticipated under §102(b) over Boschelli et al., WO98/33798, and as anticipated under §102(c) over Boschelli et al., US 6,498,163 (collectively "Boschelli"). Applicants respectfully traverse.

The claims as amended claim pyridopyridines (Z = CH), whereas Boschelli disclosed only pyridopyrimidines (Z = N). Thus, Boschelli fails to anticipate the current claims.

Further, by restricting Applicants' claims into groups wherein Z is N and wherein Z is CH, the Examiner has found that compounds in which Z is CH are patentably distinct over compounds wherein Z is N; thus, the references also fail to render the claimed invention obvious.

Applicants respectfully submit that the application is now in condition for allowance. Any questions regarding the application may be directed to the undersigned at the telephone or email addresses given below.

Respectfully submitted,

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